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UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT

10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 PAVEL HURTADO, et al.

15 Defendants.
16

No. CR 23-545-AB-19

GOVERNMENT'S SENTENCING POSITION
FOR DEFENDANT CARLOS JACO-
VILLALOBOS

17 Plaintiff United States of America, by and through its counsel
18 of record, the Acting United States Attorney for the Central District
19 of California and Assistant United States Attorney Shawn T. Andrews,
20 hereby files its Sentencing Position.

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This Sentencing Position is based upon the attached memorandum of points and authorities, the files and records in this case, and such further evidence and argument as the Court may permit.

Dated: March 6, 2025

Respectfully submitted,

JOSEPH T. MCNALLY
Acting United States Attorney

LINDSEY GREER DOTSON
Assistant United States Attorney
Chief, Criminal Division

/s/

SHAWN T. ANDREWS
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 On October 9, 2024, defendant Carlos Jaco-Villalobos
4 ("defendant") pleaded guilty to Count One of the Indictment, which
5 charged him with Conspiracy to Distribute and to Possess with Intent
6 to Distribute at Least 50 Grams of Methamphetamine, in violation of
7 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A). The Court ordered the
8 production of a presentence investigation report ("PSR") and
9 ultimately set sentencing for March 14, 2025. The U.S. Probation
10 Office ("USPO") issued its PSR on January 2, 2025, calculating a
11 total offense level of 25 and a Criminal History Category ("CHC") of
12 I, yielding a United States Sentencing Guidelines ("Guidelines")
13 range of 120 months.

14 For the reasons discussed more fully below, the government
15 concurs with USPO's calculation of total offense level and CHC and
16 respectfully requests that the Court impose a sentence of 120 months,
17 followed by five years of supervised release.

18 **II. STATEMENT OF FACTS**

19 Beginning in late 2021, a joint local-Federal law enforcement
20 Task Force led by the FBI began working with a former MS-13 member as
21 a confidential informant ("CI"). The CI used his bona fides as a
22 former MS-13 member to strike up a relationship with the overall
23 leader of MS-13 in Los Angeles, an incarcerated member of the Mexican
24 Mafia who is serving a life sentence in the California Department of
25 Corrections and Rehabilitation (the "MS-13 Inmate"). Through this
26 relationship, the CI learned that the MS-13 Inmate imposed a rule
27 that required each Los Angeles-based MS-13 clique to sell three
28 ounces of methamphetamine a week, with some of the profits of those

1 sales flowing to the MS-13 Inmate. Upon learning this information,
2 law enforcement tasked the CI to pose as an eager buyer of
3 methamphetamine in his interactions with the MS-13 Inmate. When the
4 MS-13 Inmate learned about the CI's appetite for large quantities of
5 methamphetamine, he introduced the CI to various Los Angeles-based
6 MS-13 members and vouched for the CI as someone who could be trusted
7 to buy methamphetamine from MS-13. Blessed with the imprimatur of
8 the MS-13 Inmate, the CI began moving easily through MS-13 Los
9 Angeles cliques and met more and more MS-13 members who were happy to
10 supply the CI with methamphetamine. One such member was defendant,
11 who agreed to sell the CI three ounces of methamphetamine on April
12 29, 2023. That deal was completed when a co-defendant sold the CI
13 approximately two and a half ounces of methamphetamine on May 2,
14 2023.

15 **III. THE PRESENTENCE REPORT**

16 In the PSR, the Probation Officer calculated a total offense
17 level of 25 (PSR ¶¶ 59-72) and a CHC of I (PSR ¶¶ 77-80). The
18 government concurs with the PSR's total offense level calculation and
19 CHC calculation.

20 **IV. ANALYSIS OF THE 18 U.S.C. § 3553(a) FACTORS**

21 The government respectfully recommends that this Court impose a
22 within-Guidelines sentence of 120 months, followed by five years of
23 supervised release. Such a sentence would be sufficient, but not
24 greater than necessary, to meet the purposes of 18 U.S.C. § 3553.
25 While not definitive, the Guidelines range provides the starting
26 point for finding a reasonable sentence, which is then considered in
27 conjunction with the factors set forth in 18 U.S.C. § 3553(a). See
28 United States v. Cantrell, 433 F.3d 1269, 1279 (9th Cir. 2006).

1 Being in his mid-40s, defendant should have moved past any
2 participation in criminal activity long ago. Instead, he chose to
3 participate in the charged drug trafficking conspiracy and has found
4 himself facing 120 months in prison. Undoubtedly, that reality only
5 serves to reinforce for defendant the notion that he should have
6 graduated from a life of crime long ago. That stark truth alone is
7 enough to demonstrate the sufficiency of that sentence.

8 **V. CONCLUSION**

9 For the foregoing reasons, the government concurs with the
10 USPO's calculation assigning defendant a CHC of I and an offense
11 level of 25, and recommends that this Court impose a within-
12 Guidelines sentence of 120 months, followed by five years of
13 supervised release and payment of a \$100 special assessment.

14 Dated: March 6, 2025

Respectfully submitted,

15 JOSEPH T. MCNALLY
16 Acting United States Attorney

17 LINDSEY GREER DOTSON
18 Assistant United States Attorney
Chief, Criminal Division

19 /s/
20 SHAWN T. ANDREWS
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21 Attorneys for Plaintiff
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